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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert McLellan

Application: FREEZE AND HEAT FOOD PREPORTIONING BAG

Serial No.: 10/796,725

Filing Date: March 9, 2004

Examiner: Cassandra Hope Davis

Art Unit: 3611

Conf. No.: 1771

Case No.: 0299/01892

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, pursuant to 37 C.F.R. §1.8 addressed to Mail Stop Amendment, After Final, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313 on June 6, 2007.

Marilynn G. Oleck
Name of Representative

Marilynn G. Oleck
Signature of Representative

June 6, 2007
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

20 North Wacker Drive
Chicago, IL 60606
312-621-1330

RESPONSE TO NOTICE REGARDING POWER OF ATTORNEY AND
7 CFR 3.73(b) STATEMENT

Dear Sir:

In response to the April 9, 2007 Notice Regarding the Power of Attorney, the Applicant through its present counsel responds as follows:

On September 2, 2004 the USPTO sent the Applicant the Notice of Recordation of Assignment Document indicating that Assignments in the present case have been recorded on March 9, 2004 at reel/frame location of 015068/0458. Those Assignments (copies enclosed) transferred rights in the invention from *all* inventors, to Assignee

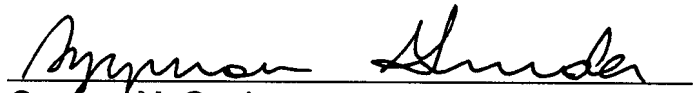
Handgards, Inc. The above reel/frame location is provided to establish ownership pursuant to MPEP § 324 and 37 CFR 3.73(b).

On March 2, 2007, Robert McLellan, as CEO of Handgards, Inc., filed a Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address for the above-listed matter.

On April 9, 2007, the USPTO rejected the Power of Attorney claiming all co-inventors must sign it. Assignee disagrees with the Office's rejection.

As the assignee of the entire interest of the present application, and pursuant to MPEP §402.07, Handgards Inc. requests that its Power of Attorney statement filed on March 2, 2007 be honored.

Respectfully submitted,
CHERSKOV & FLAYNIK



Szymon M. Gurda
Reg. No. 58,451

Docket P6823

ASSIGNMENT

In consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby assign(s) to Handwards, Inc., its successors, legal representatives and assigns (hereafter "the assignee") the entire right, title and interest in the invention of improvements entitled FREEZE AND HEAT FOOD PREPORTIONING BAG and in the application for a Patent of the United States therefor, and in any reissue, extension, division or continuation of any Patent that may be granted upon said application or applications. The undersigned hereby authorize(s) and request(s) the Commissioner of Patents and Trademarks to issue said Patent to said assignee.

For said consideration the undersigned hereby agree(s), upon the request of said assignee, to execute any and all divisional, continuation and renewal applications for said invention or improvements; and any necessary oath or supplemental oath or affidavit relating thereto, and any application for the reissue or extension of any Patent that may be granted said application that said assignee may deem necessary or expedient, and for said considerations the undersigned further agree(s) upon the request of said assignee, in the event of said application or any division thereof, or Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in interference, to cooperate with said assignee, in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and the undersigned hereby agree(s) to perform, upon said request, any and all affirmative acts to obtain said Patent and vest all rights therein hereby conveyed to the said assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made.

And for the said considerations the undersigned hereby assign(s) to said assignee the entire right, title and interest in said invention or improvement for any and all foreign countries and agree(s) upon the request of said assignee to execute any and all documents in connection with any and all applications for foreign Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to vest title said foreign applications and patents in said assignee.

3/8/04
Date

3/8/04
Date

3/8/04
Date


Robert McEllan


Ricki Combs


Albert Diaz



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 02, 2004

PTAS



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R. BLAKE JOHNSTON, ESQ.
PIPER RUDNICK LLP
P.O. BOX 64807
CHICAGO, IL 60664-0807

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/09/2004

REEL/FRAME: 015068/0458

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MCLELLAN, ROBERT

DOC DATE: 03/08/2004

ASSIGNOR:

DIAZ, ALFRED

DOC DATE: 03/08/2004

ASSIGNOR:

COMBS, RICKI

DOC DATE: 03/08/2004

ASSIGNEE:

HANDGARDS, INC.

901 HAWKINS BLVD.

EL PASO, TEXAS 79915-1202

SERIAL NUMBER: 10796725

FILING DATE: 03/09/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: FREEZE AND HEAT FOOD PREPORTIONING BAG

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PIPER RUDNICK

015068/0458 PAGE 2

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

03-16-2004

U.S. Department of Commerce
Patent and Trademark Office
PATENT



102695041

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PATENTS ONLY**

TO: The Director of the United States Patent and Trademark Office: Please record the attached original document(s) or copy(ies).

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☐ Resubmission (Non-Recordation)
Document ID#

☐ Correction of PTO Error
Reel # Frame #

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Reel # Frame #

Conveyance Type

☒ Assignment ☐ Security Agreement

☐ License ☐ Change of Name

☐ Merger ☐ Other

U.S. Government
(For Use ONLY by U.S. Government Agencies)

☐ Departmental File ☐ Secret File

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Execution Date		
Month	Day	Year
03	08	2004

Name (line 1) MCLELLAN, Robert

Name (line 2)

Second Party

Name (line 1) COMBS, Ricki

Name (line 2)

Execution Date
Month Day Year
03/08/2004

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Handgards, Inc.

Name (line 2)

Address (line 1) 901 Hawkins Blvd.

Address (line 2)

Address (line 3) El Paso

TX

79915-1202

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

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Mail documents to be recorded with required cover sheet(s) information to:
Mail Stop Assignment Recordation Services, Director of the United States Patent and Trademark Office,
P.O. Box 1450, Alexandria, VA 22313-1450

Correspondent Name and Address

Area Code and Telephone Number

(312) 368-4000

Name **R. Blake Johnston, Esq.**

Address (line 1) **PIPER RUDNICK LLP**

Address (line 2) **P.O. Box 64807**

Address (line 3) **Chicago, IL 60664-0807**

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

1

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was

Month Day Year
03/09/2004

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

40.00

Method of Payment:

Enclosed ☒

Deposit Account ☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the

Deposit Account Number:

18-2284

Authorization to charge additional fees:

Yes ☒ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

R. Blake Johnston / Reg. No. 41,097

Name of Person Signing

Signature

Date

3/9/04

RECORDATION FORM COVER SHEET
CONTINUATION
PATENTS ONLY

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) DIAZ, Alfred

Execution Date
Month Day Year
03/08/2004

Name (line 2)

Execution Date
Month Day Year

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Name (line 1)

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

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State/Country

Zip Code

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☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

22857 U.S. PTO
10/796725

030904

Docket P6823

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Robert Meléndez


Ricki Combs


Albert Diaz